

Appl. No. : 10/021,797
Filed : December 11, 2001

REMARKS

In response to the Office Action mailed January 29, 2004, Applicant respectfully requests the Examiner to reconsider the above-captioned patent application in view of the foregoing amendments and the following comments. As a result of the amendments listed above, Claims 3-17 remain pending. Claim 1 has been cancelled without prejudice or disclaimer, and Claims 5, 7 and 14-15 have been amended.

In the Office Action mailed January 29, 2004, the Examiner disposed of the claims as follows:

CLAIM NOS.	DISPOSITION/REJECTION		
	BASIS	PRIMARY REFERENCE	SECONDARY REFERENCE(S)
1, 3, 7, 14-15	103(a)	Kurilov RU 2014038	Israel US 6,013,101
5-6, 8	Objected-to, but allowable if rewritten in independent form		
4, 9-13, 16-17	Allowed		

Claims 5-6, 8

The Examiner objected to Claims 5-6 and 8, but indicated that these claims would be allowable if rewritten in independent form. Applicant has so rewritten Claim 5, while claim 6 remains dependent from Claim 5. Claim 8 is now dependent from Claim 5, by virtue of Applicant's amendment of Claim 7. All of Claims 5-6 and 8 are therefore believed to be in condition for allowance.

Claims 7, 14-15

Applicant has amended Claims 7 and 14-15 to depend from Claim 5, which is believed to be allowable as discussed above. Accordingly, Claims 7 and 14-15 are also believed to be in condition for allowance, due to their dependence from an allowable base claim as well as their recitation of further novel and nonobvious combinations of features.

Claim 3

Claim 3 now depends from Claim 5, due to Applicant's amendment of Claim 7. In view of the foregoing, Claim 3 is also believed to be in condition for allowance, due to its dependence

Appl. No. : **10/021,797**
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from an allowable base claim as well as its recitation of a further novel and nonobvious combination of features.

Claims 4, 9-13, 16-17

The Examiner has allowed Claims 4, 9-13, 16-17. Accordingly, all of the current claims are either allowed or believed to be allowable over the prior art of record.

Information Disclosure Statements

The Examiner enclosed with the Office Action of April 4, 2003 a copy of a Form PTO-1449 that Applicant filed with an Information Disclosure Statement on April 19, 2002. The Examiner initialed all of the references on this Form PTO-1449, except the references listed in the sections titled "Foreign Patent Documents" and "Other Documents." Applicant respectfully requests that the Examiner consider (if she has not already) these non-initialed references and provide a copy of this Form PTO-1449 with all references initialed.

Applicant also directs the Examiner's attention to the Second Supplemental Information Disclosure Statement filed on March 25, 2003. The Examiner has not yet provided a signed-off copy of the form PTO-1449 filed with the Second Supplemental Information Disclosure Statement. Applicant respectfully requests that the Examiner consider the references cited in the Second Supplemental Information Disclosure Statement when examining the claims now pending in this application. No fees are believed due, but in the event that Applicant must pay any fees in connection with the Second Supplemental Information Disclosure Statement, the Commissioner is authorized to charge any such fees to Deposit Account 11-1410.

Conclusion

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, issuance of a Notice of Allowance is most earnestly solicited.

Applicant respectfully traverses each of the Examiner's rejections and each of the Examiner's assertions regarding what the prior art shows or teaches. In particular, Applicant disagrees with the Examiner's findings that one skilled in the art would have, at the time of Applicant's invention, sought to modify the cited Israel device in accordance with the teachings of

Appl. No. : 10/021,797
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Kurilov, and that Israel and Kurilov together render obvious Claims 1, 3, 7 and 14-15. Accordingly, although amendments, deletions and cancellations have been made, no acquiescence or estoppel is or should be implied thereby. Rather, the amendments, deletions and cancellations are made only to expedite prosecution of the present application, and without prejudice to presentation or assertion, in the future, of claims on the subject matter affected thereby.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney, Mark J. Kertz at (949) 721-6318 to resolve such issue(s) promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: Apr. 29, 2004

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